

REMARKS**I. Claim Status**

Claims 1-13 and 15-19 are pending and claims 1 and 6 are amended. Claim 24 is newly added. Claims 1, 6, 9, and 15 are independent. Claims 15-19 are allowed.

Claims 1-13 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Pat. No. 6,634,872 to Bougamont et al.

II. Pending Claims

U.S. Patent No. 6,634,872 to Bougamont et al.

Claims 1-13 stand rejected under 35 U.S.C. § 102(e) allegedly being anticipated by U.S. Pat. No. 6,634,872 to Bougamont et al.

The undersigned submits that claim 1 is at least patentable over Bougamont '872 because it recites "an outer surface of the lip adapted to sealingly engage an inner surface of the opening of the reservoir." (emphasis added)

The undersigned also submits that claim 6 is at least patentable over Bougamont '872 because it recites "...the annular body defining an annular notch for engaging the pump at a second location and a recess spanning along an inner surface of the body between the upper and lower ends." (emphasis added)

The undersigned also submits that claim 9 is at least patentable over Bougamont '872 because it recites "...the inner surface having a plurality of steps for engaging the pump,...the pump having a body and a dispenser portion, the body being engaged by the plurality of steps." (emphasis added)

First, regarding claim 1, as seen in FIG. 4 of the application, the outer tapered surface (123) of the lip sealingly engages an inner surface of the opening to the reservoir. In this example, the reservoir is formed by bottle (4). Accordingly, the lip seals the reservoir. See 2:29. Although it may be contended that the collar (5) of Bougamont '872 may be configured to mount the pump on a receptacle such as a bottle (which is not shown), in contrast to the present invention, the lip of the collar 5 does not contact an inner surface of the opening of the receptacle to form a seal. Rather, in Bougamont '872, it appears that the neck of the receptacle is positioned within the triangular shaped annular slots formed between the collar (5) and pump body (1). Therefore, in this case, the collar (5) contacts an outer surface of the reservoir, not an inner surface. In order to sealingly engage the an inner surface of the opening of the reservoir as required by claim 1, the lip must extend into the bottle which forms the reservoir, which is not the case with the collar (5) of Bougamont '872.

With respect to claims 6 and 9, the Office action does not address the Applicants recitation of "a recess" in claim 6 nor the recitation of "a plurality of steps for engaging the pump" in claim 9. First, as can be seen in the examples of FIGS. 3-4, claim 6 recites "a recess spanning along an inner surface of the body between the upper and lower ends." Bougamont '872 simply does not disclose such a recess. Next, as can also be seen in FIGS. 3-4, claim 9 recites "the inner surface having a plurality of steps for engaging the pump." Bougamont '872 does not disclose a plurality of steps on an inner surface of the collar. In FIG. 1, Bougamont '872 discloses a circular lip 51, however, a plurality of steps for engaging the pump are not suggested and/or disclosed. Consequently, Bougamont '872 fails to disclose or suggest all of the limitations of claim 9.

For at least this reason, claims 1, 6, and 9 and their dependent claims are patentable over Bougamont '872 and the references of record.

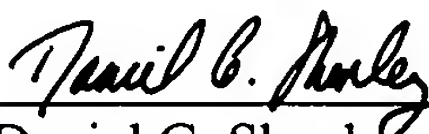
III. Conclusion

In view of the above amendments and remarks, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper under 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

Date: December 12, 2006



Daniel G. Shanley
Reg. No. 54,863

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201